

**MS AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1644**

**PATENT  
1390-0126P**

**IN THE U.S. PATENT AND TRADEMARK OFFICE**

**Applicant:** MAISI, Paivi et al. **Conf.:** 1293  
**Appl. No.:** 10/019,248 **Group:** 1644  
**Filed:** October 19, 2001 **Examiner:** NOLAN, Patrick  
**For:** METHODS AND TEST KITS FOR EVALUATING  
THE PRESENCE AND SEVERITY OF  
RESPIRATORY TRACT INFLAMMATION

**NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

**MS AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 18, 2005

Sir:

Applicants hereby appeal to the Board of Appeals from the Office Action dated October 18, 2005 of the Primary Examiner twice rejecting claims 18-23, 25-29, 35-40 and 52-57.

☐ This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☒ The enclosed document is being transmitted via facsimile.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

Appl. No. 10/019,248

The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained for responding to the Office Action. Thus a fee of \$1,020.00 is required for the full period of the above-requested extension of time.

☐ An extension of ( ) month(s) for responding to the Office Action was previously requested and paid for on . Thus a fee of \$0.00 is required to obtain an additional ( ) month(s) for filing the Notice of Appeal.

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$500.00

☐ Small Entity - \$250.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$0.00.

Payment of the above TOTAL FEE is being made in the following manner:

☐ Check(s) in the amount of \$0.00 is/are enclosed.

☒ Please charge Deposit Account No. 02-2448 in the amount of \$1,520.00.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

**Certificate of Transmittal**  
I hereby Certify that this correspondence is being  
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LRS/sbp  
1390-0126P

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By [Signature]  
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